

## HOUSE BILL No. 1348

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-18-2-190.5; IC 16-19-14; IC 16-21-7.5; IC 16-41.

**Synopsis:** Umbilical cord blood bank. Establishes a public umbilical cord blood bank operated by the state department of health. Requires hospitals to offer new parents the option of donating umbilical cord blood following the birth of a newborn. Requires the state department of health to implement an umbilical cord blood initiative to promote awareness of the ability to donate umbilical cord blood. Requires physicians and hospitals to inform pregnant patients of the option to donate umbilical cord blood.

**Effective:** July 1, 2007.

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**Welch, Koch, Battles, Turner**

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January 16, 2007, read first time and referred to Committee on Public Policy.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## HOUSE BILL No. 1348

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-18-2-190.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2007]: **Sec. 190.5. "Initiative", for purposes**  
4 **of IC 16-41-42, has the meaning set forth in IC 16-41-42-1.**

5 SECTION 2. IC 16-19-14 IS ADDED TO THE INDIANA CODE  
6 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2007]:

### **Chapter 14. Umbilical Cord Blood Bank**

8 **Sec. 1. The state department shall establish and provide for the**  
9 **operation of a public umbilical cord blood bank.**

### **Sec. 2. The state department shall do the following:**

10 **(1) Establish and educate health care professionals on the**  
11 **procedures and requirements for collecting and maintaining**  
12 **umbilical cord blood donations following the birth of a baby.**

13 **(2) Adopt rules under IC 4-22-2 concerning the procedures**  
14 **for collecting and maintaining umbilical cord blood donations.**

15 **Sec. 3. (a) The public umbilical cord blood bank shall accept and**  
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maintain umbilical cord blood donations at no charge or cost to the donor.

(b) The state department may allow the following to use the umbilical cord blood donations:

(1) Transplant centers.

(2) Research centers approved by the state department that will use the umbilical cord blood donation to promote peer reviewed medical research.

(3) Any other entity approved by the state department that will use the umbilical cord blood donation to promote medical advances, life science research, or biotechnology research.

(c) At least ninety percent (90%) of the umbilical cord blood donations must be allocated for medical transplants.

**Sec. 4.** The state department may collect and maintain donations of tissue extracted from the umbilical cord and placenta at no charge or cost to the donor.

**Sec. 5.** The state department may adopt rules under IC 4-22-2 necessary to implement this chapter.

SECTION 3. IC 16-21-7.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]:

**Chapter 7.5. Hospital Requirement Regarding Umbilical Cord Blood Donation**

**Sec. 1. (a)** Except as provided in section 2 of this chapter, a hospital licensed under this article must offer a patient who delivers a newborn infant at the hospital the option of donating the umbilical cord blood following delivery of a newborn infant.

(b) The patient may not be charged for the collection, storage, or donation to the public umbilical cord blood bank under IC 16-19-14.

**Sec. 2. (a)** A hospital is not required to collect the umbilical cord blood, if any of the following apply:

(1) In the professional judgment of a physician licensed under IC 25-22.5, the collection would threaten the health of the mother or the infant.

(2) The hospital is affiliated with a religious denomination that believes that the blood transfer is contrary to the moral principles or beliefs of the religious denomination.

(b) An employee of a hospital is not required to collect an umbilical cord blood donation if the blood transfer is contrary to the religious principles or beliefs of the employee.

**Sec. 3.** A hospital shall cooperate with the state department in

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1 **accomplishing the public health goal of maximizing umbilical cord**  
 2 **blood donations.**

3 SECTION 4. IC 16-41-12-3 IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. As used in this  
 5 chapter, "blood center" includes a blood bank, **an umbilical cord**  
 6 **blood bank**, a blood storage facility, a plasma center, a hospital, or  
 7 other facility where blood or blood products are collected.

8 SECTION 5. IC 16-41-42 IS ADDED TO THE INDIANA CODE  
 9 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2007]:

11 **Chapter 42. Umbilical Cord Blood Donation Initiative**

12 **Sec. 1. As used in this chapter, "initiative" refers to the**  
 13 **umbilical cord blood donation initiative established by section 2 of**  
 14 **this chapter.**

15 **Sec. 2. The state department shall establish an umbilical cord**  
 16 **blood donation initiative to promote public awareness concerning**  
 17 **the following:**

- 18 (1) **A woman's option to donate umbilical cord blood upon the**  
 19 **birth of a newborn infant.**
- 20 (2) **The medical benefits of umbilical cord blood.**
- 21 (3) **The importance of donating umbilical cord blood to the**  
 22 **public umbilical cord blood bank.**

23 **Sec. 3. The state department may accept a grant from the**  
 24 **federal government or money from private contributions to**  
 25 **establish and implement the initiative.**

26 **Sec. 4. (a) The initiative must include the dissemination of**  
 27 **written material that includes the following:**

- 28 (1) **Information concerning the option that is available to**  
 29 **pregnant women to donate umbilical cord blood upon the**  
 30 **birth of a newborn infant.**
- 31 (2) **An explanation of the difference between public and**  
 32 **private umbilical cord blood banking.**
- 33 (3) **The benefits of umbilical cord blood in accordance with**  
 34 **the National Marrow Donor Program and the use of umbilical**  
 35 **cord blood for medical treatment, including the following:**
  - 36 (A) **A list of the diseases that have been treated through the**  
 37 **use of umbilical cord blood.**
  - 38 (B) **A list of the diseases for which scientific research**  
 39 **indicates that treatment through the use of umbilical cord**  
 40 **blood is promising.**
- 41 (4) **Information on the public umbilical cord blood bank**  
 42 **established under IC 16-19-14.**

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(5) Information concerning the process by which umbilical cord blood is collected and the steps that an individual must take before the child is born to arrange to have the umbilical cord blood collected and donated.

(b) The state department shall:

(1) update the written material required in subsection (a) annually; and

(2) distribute the written material to the following persons that treat pregnant women:

(A) Physicians licensed under IC 25-22.5.

(B) Hospitals.

(C) Ambulatory surgical centers.

(D) Health clinics.

(E) Maternity homes registered under IC 16-26-1.

**Sec. 5.** Each physician and hospital shall inform each pregnant patient under the physician's or hospital's care, not later than thirty (30) days from the beginning of the patient's third trimester of pregnancy, of the opportunity to donate to the public umbilical cord blood bank following delivery of a newborn infant.

**Sec. 6.** The state department shall maximize the donation of umbilical cord blood as a public health goal of the state.

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